

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY BESS, JR.,

Plaintiff,

No. CIV S-03-2498 GEB DAD P

vs.

EDWARD ALAMEIDA, JR., et al.,

Defendants.

ORDER

In accordance with this court's December 12, 2008 scheduling order, both parties have filed timely pretrial statements. Both parties have also requested a court-ordered settlement conference. Pursuant to Local Rule 16-270(b), the parties will be directed to clarify whether they wish to proceed in a settlement conference before the undersigned magistrate judge or if they wish to proceed before a randomly-assigned magistrate judge.

In addition, good cause appearing, the court will vacate scheduling order dates related to pretrial conference and jury trial. The court will issue a pretrial order and a new trial date if necessary after the settlement conference.

Accordingly, IT IS HEREBY ORDERED that:

1. Within twenty days of the date of this order, plaintiff and defendants shall clarify whether they wish to proceed in a settlement conference before the undersigned

1 magistrate judge or if they wish to proceed before a randomly-assigned magistrate judge. If the
2 parties wish to proceed before the undersigned magistrate judge, each party shall return to the
3 court the consent form for settlement conferences provided with this order. If the parties do not
4 wish to proceed before the undersigned magistrate judge, each party shall file a declaration
5 stating he wishes to proceed before a randomly-assigned magistrate judge;

6 2. The court's scheduling order dates related to pretrial conference (July 18,
7 2008) and jury trial (October 21, 2008) are vacated. The court will issue a pretrial order and a
8 new trial date if necessary after the settlement conference;

9 3. The remainder of the court's scheduling order remains in effect; and

10 4. The Clerk of the Court is directed to send each party the consent form for
11 settlement conferences.

12 DATED: July 17, 2008.

13
14 
15 _____
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

16 DAD:9
17 bess2498.sc
18
19
20
21
22
23
24
25
26